

United States Court of Appeals
For the Eighth Circuit

No. 13-3295

United States of America

Plaintiff - Appellee

v.

Peter Salvatory Mosha

Defendant - Appellant

Appeal from United States District Court
for the District of North Dakota - Bismarck

Submitted: May 28, 2014

Filed: June 2, 2014

[Unpublished]

Before BYE, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Peter Salvatory Mosha appeals the district court's¹ judgment following a jury verdict finding him guilty of making a false claim of citizenship for the purpose of

¹The Honorable Patrick A. Conmy, United States District Judge for the District of North Dakota.

unlawfully gaining employment, in violation of 18 U.S.C. § 1015(e). Mosha was sentenced to “time served,” or 243 days in prison. Counsel has moved to withdraw, and filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the sufficiency of the evidence.

This court reviews the sufficiency of the evidence de novo, viewing the evidence in the light most favorable to the guilty verdict, resolving conflicts in favor of the government, and accepting all reasonable inferences that support the jury’s verdict. *See United States v. Causevic*, 636 F.3d 998, 1005 (8th Cir. 2011). The testimony of former Hardee’s Manager Lori Thor—whose credibility was for the jury to decide—that Mosha indicated he was a United States citizen on the I-9 employment eligibility form, combined with evidence establishing he was not, was sufficient to support the conviction. *See* 18 U.S.C. § 1015(e) (penalizing individual for knowingly making “any false statement or claim that he is, or at any time has been, a citizen or national of the United States, with the intent . . . to engage unlawfully in employment in the United States”); *United States v. Keys*, 721 F.3d 512, 519-20 (8th Cir. 2013) (reviewing court must assume jury found credible witness testimony that was favorable to verdict), *cert. denied*, 134 S. Ct. 1011 (2014). This court has reviewed the record independently under *Penson v. Ohio*, 488 U.S. 75, 80 (1988), and has found no nonfrivolous issues for appeal.

The judgment is affirmed, and counsel’s motion to withdraw is granted.
